

Notice of Allowability

Application No.

10/079,935

Applicant(s)

SHIMADA ET AL.

Examiner

Art Unit

Samson B. Lemma

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 09/13/2006.
2. ☒ The allowed claim(s) is/are 1-4, 6-11, 13-14, 27 and 29-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

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DETAILED ACTION

1. The request filed September 13, 2006 for a request for continued examination (RCE) under 37 CFR 1.114 based on patent application 10/079,935 is acceptable and an RCE has been established. Accordingly, **Independent claims 1, 10, 27 and 29** together with dependent claims **3, 13-14** are amended. **Claims 5, 12, 15-26 and 28** are cancelled. Therefore **claims 1-4, 6-11, 13-14, 27 and 29-32** are **pending/examined**.

Allowable Subject Matter

2. **Claims 1-4, 6-11, 13-14, 27 and 29-32** are allowed.
3. The following is an examiner's statement of reasons for allowance:
4. With respect to **the amended independent claims 1, 10, 27 and 29** the art on the record, namely the combination of **Akiyama** and **Qawami** **discloses all the recited limitation of the claims before the claims were amended**.
For instance referring to the **independent claims 1, 10, 27 and 29**,
Akiyama discloses a copy management system, comprising:
a storage media, which is stored with predetermined content,[figure 1reference "1"] **and which is attached with unique media identification information;** [figure 1, reference 2]
a user terminal device, [figure 1, reference 3] **which comprises copy means** [figure 1, reference 9] **for copying the content stored in the storage media** [figure 1, reference 1] **to a first storage device,**[figure 1, reference 3] (Target storage medium) **and which transmits device identification information attached to the user terminal device.**[figure 1, reference 4] (the device identification information/storage medium identifier) together with the unique media identification information of the storage media[column 7, lines 42-45](As explained in the abstract and also column 7, lines 42-45 both the device identification

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information attached to the user device/medium identifier shown on figure 1, ref. 4 and the unique media identification which is shown on figure 2, ref. 2 are transmitted /sent to the central site/server device which manages licenses for the right to copy software product); a server device which shown on figure 1, ref. 5) **which transmits copy enabling information for enabling copy of content corresponding to the unique media identification information against the user terminal device corresponding to the device identification information when receiving the unique media identification information and device identification information.**[Abstract and column 7, lines 39-column 8, line 7]

Akiyama does not explicitly disclose

- deleting the copy enabling information after copying the content.

However, In the same field of endeavor, **Qawami** discloses

- In step 225, a portion of the track is played back. This portion may be in any of the files that comprise the track. In step 225a, the media unique key (K.sub.mu) is calculated once again. **In step 225b, the encrypted title key stored in local memory is decrypted.** Then, in step 225c, the title key is used to decrypt the content from the buffer of device 15 containing content from the user area 41 of card memory card 13. **Immediately after the buffer is decrypted, the title key is deleted in step 225d and the media unique key is deleted in step 225e.** The order of steps 225d and 225e is not important, but **it is important that both keys are only exposed for the time it takes to completely read/copy a portion of the track. Thus after the track is read/copied the key is deleted.** [Paragraph 0058 and also see claim 1]

However, the art on the record namely the combination of **Akiyama and Qawami** does not disclose or suggest the following particular limitation/similar limitation which is added with the amendment on the respective claims **1, 10, 27 and 29, "a second storage device disposed on the user terminal device**

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and adapted to be attached to and removed from the user terminal device”

and

Wherein the user terminal device transmits, as the device identification information, at least second device identification information attached uniquely to the second storage device.

As applicant persuasively argued, this particular underlined/highlighted limitation, specially the second limitation is not recited/disclosed by the reference on the record, namely by the combination of **Akiyama and Qawami**. None of the prior art of record taken singularly or in combination teaches or suggests **a copy management system, comprising: all the limitation recited with the respect to each independent claims with the** following functional limitation **“a second storage device disposed on the user terminal device and adapted to be attached to and removed from the user terminal device”**

and

Wherein the user terminal device transmits, as the device identification information, at least second device identification information attached uniquely to the second storage device.

It is found that the underlined limitation/similar limitation enclosed in the respective independent **claims 1, 10, 27 and 29 with the combination of all the limitation recited in the respective independent claims makes the independent claims novel.**

For the reasons provided above, the independent claims **1, 10, 27 and 29 are allowed.**

It has been verified that no new matter has been introduced by this amendment. Support for the above limitation is found at least by the applicant disclosure on **paragraph 245-247** of the original specification.

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5. **The dependent claims**, being further limiting to the **independent claims 1, 10, 27 and 29**, definite and enabled by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

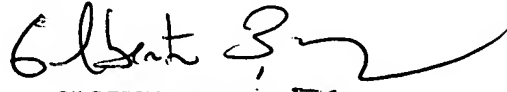
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

S.L.
09/22/2006


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